

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : No. 4:24-CR-00015  
v. :  
MAX VANCE : (Chief Judge Brann)  
a/k/a ANDRE J. BURK, : (Magistrate Judge Arbuckle)  
Defendant : (Electronically Filed)

**MOTION FOR BAIL**

AND NOW comes the Defendant, Max Vance, a/k/a Andre J. Burk, by his attorney, Gerald A. Lord, Assistant Federal Public Defender, and files this motion for bail, and in support thereof, it is averred as follows:

1. On January 30, 2024, Max Vance, was charged in an Indictment in Count 1 with obtaining information from protected computer in violation of 18 U.S.C. § 1030(a)(2)(C) and (c)(2)(B)(iii).
2. On March 7, 2024, Max Vance, appeared before United States Magistrate Judge Joseph F. Saporito for an arraignment and pleaded not guilty.
3. The Federal Public Defender's Office was appointed to represent Mr. Vance.
4. By Order dated March 7, 2024, a detention hearing was scheduled for March 13, 2024, before Chief United States Magistrate Judge Joseph F. Saporito, Jr. (Doc. 20).

5. On March 12, 2024, Defendant filed a motion moving to cancel the scheduled detention hearing, while reserving the right to address the issue of bail if there is a change in circumstances. (Doc. 22).

6. On March 12, 2024, United States Magistrate Judge Joseph F. Saporito, Jr., granted the defendant's motion, while reserving the defendant's right to seek bail "should his circumstances change." (Doc. 23).

7. On August 19, 2024 undersigned counsel filed a motion for a bail hearing (Doc. 29) and by this Honorable Court's order dated August 19, 2024 an evidentiary hearing was scheduled for September 5, 2024 at 11:00 a.m. in Courtroom No. 1. (Doc. 30).

8. On August 30, 2024 undersigned counsel filed a motion to cancel the bail hearing (Doc. 31) and by this Honorable Court's order dated August 30, 2024, the hearing was cancelled. (Doc. 32).

9. Mr. Vance has not had a bail hearing thus far and he is now exercising his right to seek release pending trial. *See* 18 U.S.C. § 3142.

10. Mr. Vance has located a stable and safe residence at which he can stay pending disposition of his case.

11. The defense has retained an expert whose preliminary analysis of the "loss" in this case suggests the amount is probably much lower than originally

determined and Mr. Vance may be getting close to a time-served sentence, if the analysis is accurate.

12. This is not a case in which there is a rebuttable presumption of detention. *See* 18 U.S.C. §§ 3142(e) and (f).

13. Although the government currently opposes Mr. Vance's release, the government is not opposed to granting the defendant's request for an evidentiary hearing on his motion for bail.

14. Because the government is not opposed to the convening of a hearing on the motion for Mr. Vance's motion for bail, no supporting briefs are required.

*See* LR 7.5.

WHEREFORE, based on the foregoing, it is respectfully requested that this Honorable Court convene an evidentiary hearing to determine whether Mr. Vance's motion for bail should be granted.

Respectfully submitted,

Date: December 6, 2024

s/Gerald A. Lord  
Gerald A. Lord, Esquire  
Assistant Federal Public Defender  
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Williamsport, PA 17701  
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*Attorney for Max Vance*

**CERTIFICATE OF SERVICE**

I, Gerald A. Lord, Assistant Federal Public Defender, do hereby certify that the **Motion for Bail**, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing:

Kyle Moreno, Esquire  
Assistant United States Attorney

and by placing the same in the United States Mail, first class in Williamsport, Pennsylvania, addressed to the following:

Max Vance

Date: December 6, 2024

s/Gerald A. Lord  
Gerald A. Lord, Esquire  
Assistant Federal Public Defender